

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §
 McCOLLUM, individually, and STEPHANIE §
 KINGREY, individually and as independent §
 administrator of the Estate of LARRY GENE §
 McCOLLUM, §

PLAINTIFFS

V.

CIVIL ACTION NO.

4:14-cv-3253

JURY DEMAND

BRAD LIVINGSTON, JEFF PRINGLE, §
RICHARD CLARK, KAREN TATE, §
SANDREA SANDERS, ROBERT EASON, the §
UNIVERSITY OF TEXAS MEDICAL §
BRANCH and the TEXAS DEPARTMENT OF §
CRIMINAL JUSTICE. §

DEFENDANTS

Plaintiffs' Consolidated Summary Judgment Response Appendix

EXHIBIT 213

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Inter-Office Communication

TO: PATTY GARCIA/MARY ANNE WEAVER, Executive Services

FROM: DAVID MCNUTT, Director of Financial Services Division
BRAD LIVINGSTON, Deputy Director of Financial Services Division

DATE: December 31, 1999

SUBJ: Policy Review - AD-10.64 Temperature Extremes in the TDCJ Work Place

At Policy (3rd paragraph, last sentence): "Procedures and charts are provided to assist unit/facility officials..."

Have these procedures and charts been given to department heads also?

At I.A.3., *should add new heading here: "B. Precautionary Measures" and re-number subtopics #3 through #6.*

At I.C.7.b.: "Injured individuals are unconscious and....."

At II. A. 3.: Last sentence "..... precautionary measures identified in the Heat and Humidity Matrix (Attachment B) ~~be is~~ are"

At II. A. 5.: *Should add new heading here: "B. Additional Precautionary Measures" and re-number subtopics #5 through #12.*

At II. A. 7.: Last sentence "....according to individual medical advice," no comma after advice.

At II. A. 7 & 8: *Switch #7 and #8 to continue discussion of "acclimatization to heat" which continues in #9.*

At II. C. 2.: "...attempt to decrease the ~~offender's~~ individual's..."
(to remain consistent throughout directive)

At II. C. 4.: Last sentence "Position ~~victim~~ individual in the shade with air movement past the ~~victim individual~~; fan ~~victim individual~~...."

At II. C. 8.: "In all cases of temperature - related...." (Add a "-")

At Attachment A, 2nd paragraph, first sentence:

"...is thermal underwear, insulated coats, cotton gloves, insulated....."

I.A.3. also lists leather gloves; list here also?

Att.

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EXHIBIT 214



Texas Department of Criminal Justice

Brad Livingston
Executive Director

CONFIDENTIAL

To: Dennis Rhoten
Director, Investigations
Office of Inspector General

From: Lannette Linthicum, MD, CCHP-A, FACP *LL*
Director, Health Services Division

Date: May 3, 2005

Re: Ricky Robertson
TDCJ #1172218 (Deceased)

The death of Offender Ricky Robertson, TDCJ #1172218 has been reviewed by two Health Care Committees of the Correctional Manage Health Care Program – namely, the Joint Morbidity and Mortality Committee and the Physician Peer Review Committee. I am not able to share with you any specific detail action taken by these committees because the proceedings and findings of these committees are protected by statute from disclosure. However, I can tell you that corrective action was recommended with respect to clinical process and care issues. I have personally met with the UTMB, Interim, Director of Mental Health Services, Dr. Pradan Nathan regarding this case. I have unequivocally expressed my concern about some clinical issues in this case. I have also expressed my desire that the corrective action outline via the Peer Review process be expeditiously completed.

I have requested that the Joint Mental Health Working Group (the latter is composed primarily of mental health staff from the three partner agencies – TDCJ, UTMB and Texas Tech) address the issue of offenders on psychotropic medications and their housing needs. The Joint Mental Health Working Group is scheduled to meet on May 19, 2005 from 1:00 p.m. – 3:00 p.m. The group will address modifying the current Health Summary for Classification form (HSM-18) to add a designator for offenders receiving psychotropic medications and instructions regarding housing considerations.

Housing considerations will be extremely limited. As you know, the Texas Department of Criminal Justice (TDCJ) does not have any tempered air or air conditioned units/facilities. There are 2,000 inpatient psychiatric beds, which are air-conditioned that serve the entire system. However, the majority of mental health offenders are outpatient and do not meet clinical criteria for inpatient care. In fact, there are approximately 17,000 offenders on the outpatient mental health caseloads. A large portion of them are receiving psychotropic medication. This issue is

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McGuffin/Robertson 06054

complex and certainly cannot be solved by the Health Services Division alone. The system has made tremendous strides in attempting to keep the unit/facility temperature at eighty-five (85) degrees as outlined in A.D. 10.64, "Temperature Extremes in the TDCJ Workplace." This has been evident in the marked reduction of heat related illnesses in offenders and staff over the past several years. Short of building new facilities with tempered air or air conditioning; I do not know what else can be done. Strict adherence to the heat directive is imperative.

I hope this satisfies your concerns. Please do not hesitate to contact me should there be any remaining outstanding issues. Thank you.

c: Owen J. Murray, DO, MBA, Medical Director, UTMB Correctional Manage Health Care
Pradan Nathan, MD, UTMB-CMHC, Interim, Mental Health Director
✓ Colleen Eckert, Investigator III, Office of Inspector General

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Jeff
Baldwin/Executive_Directors_
Office/TDCJ

09/06/2006 09:36 AM

To cmc@mycingular.blackberry.net

cc Brad Livingston/Executive_Directors_Office/TDCJ@TDCJ,
Ed Owens/Executive_Directors_Office/TDCJ@TDCJ,
Charles Marsh/Financial_Services/TDCJ@TDCJ, David

bcc

Subject AD-10.64 (rev. 5), "Temperature Extremes in the TDCJ
Workplace"

AD-10.64 (rev. 5), "Temperature Extremes in the TDCJ Workplace" has been submitted to the Deputy Executive Director for signature. The more significant revisions include revised procedures for exposing offenders to extreme temperature conditions; eliminating references to the northern or southern portion of the state in the procedures for extreme cold conditions; revised directions governing administration of CPR; and changes in the documentation of training, to include replacing the social security number with the date of birth.

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TEXAS DEPARTMENT OF CRIMINAL JUSTICE

DECISION MEMORANDUM

TO:	Brad Livingston Executive Director	DATE:	September 29, 2008
THRU:	Bryan Collier Deputy Executive Director		
FROM:	Jeff Baldwin Chief of Staff	SUBJECT:	FINAL SIGNATURE PROCESS AD-10.64 (rev. 6) Temperature Extremes in the TDCJ Workplace

PURPOSE:

The TDCJ shall establish guidelines to assist unit administration in adapting offender work assignments to temperatures in the work environment that cannot be controlled by the Agency.

DISCUSSION:

The proponent for this directive is the Administrative Review and Risk Management Division, with Cherie Miller as the contact person. All Division Directors/Executive Staff responding to the staffing concurred, with or without comment, or determined that it was not applicable to their area. The proponent has reviewed the comments and incorporated those deemed necessary into a revised directive.

The directive prepared for signature is enclosed (Tab A). A strikeout version of the directive, showing all changes, is enclosed (Tab B). The staffing results are enclosed (Tab C).

Signature Packet prepared by Michelle Whitecotton at (936) 437-6458.

RECOMMENDATION:

The directive goes through the approval process to the Executive Director for final approval and signature.

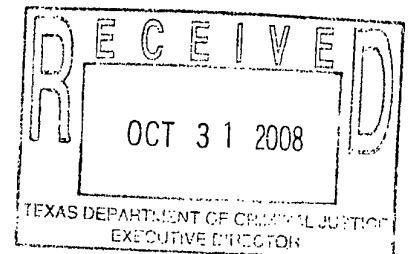
COORDINATED THRU:

Jerry McGinty Chief Financial Officer	✓ _____	Concur	_____	Non-Concur
Ron Steffa Deputy CFO	✓ _____	Concur	_____	Non-Concur
Melinda Bozarth Office of the General Counsel	✓ _____	Concur	_____	Non-Concur
Jackie Edwards ARRM Director	✓ _____	Concur	_____	Non-Concur

ACTION BY DECISION AUTHORITY:

Approved 13 Disapproved _____; Other _____; Date 11/10/08

Comment:





Jeff
Baldwin/Executive_Directors_
Office/TDCJ

11/03/2008 03:18 PM

To oliver@gles.com

cc Brad Livingston/Executive_Directors_Office/TDCJ@TDCJ,
Bryan Collier/Executive_Directors_Office/TDCJ, Jerry
McGinty/Financial_Services/TDCJ, Karen

bcc

Subject AD-10.64 (rev. 6), "Temperature Extremes in the TDCJ
Workplace"

AD-10.64 (rev. 6), "Temperature Extremes in the TDCJ Workplace" has been sent to the Executive Director for signature.

Numerous revisions to AD-10.64 include: new language requiring unit staff to monitor, announce and document the temperature once every hour between 6:30 a.m. and 6:30 p.m.; revised procedures for proper use of the Temperature Log; and no longer requiring staff to contact medical staff prior to exposure to cold temperatures (instead, medical staff are to be contacted if staff is uncertain of the appropriate clothing needed to prevent cold injury).

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EXHIBIT 218



Texas Department of Criminal Justice

Brad Livingston
Executive Director

Δ π EXHIBIT 9	
Deponent	_____
Date	_____ Rptr. _____
WWW.DEPOBOOK.COM	

To: Brad Livingston
TDCJ Executive Director

From: Lannette Linthicum, MD, CCHP-A, FACP
Director, Health Services Division

Re: Heat Related Deaths 2007 to Present

Date: June 26, 2009

James Shriver, TDCJ #390315
Date of Death: 08-08-2007

- Forty-seven (47) year-old white male with a long history of schizoaffective disorder and borderline personality disorder.
- Offender Shriver has made serious suicide attempts in past. He also engaged in head banging and he was hearing voices (auditory hallucinations).
- His other medical problems included:
 1. Hypertension
 2. Hepatitis C
 3. Asthma
- Offender Shriver was taking several psychotropic and anticholinergic medications both of which are known to cause temperature deregulation permitting hyperthermia (increase body core temperature).
- On August 8, 2007 at 0:44 hours he was found unresponsive in the top bunk bed of his two-man cell. CPR was attempted but not successful. He was pronounced dead 0512.

Cause of Death: Cardiac arrhythmia (abnormal heartbeat) caused by hyperthermia.

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

3009A Highway 30 West
Huntsville, Texas 77340
(936) 437-4260
www.tdcj.state.tx.us

TDCJ013583

Dionicio Robles, TDCJ #1443175

Date of Death: 08-13-2007

- Fifty-four (54) year-old Hispanic male whose past medical history was significant for mood and anxiety disorder.
- He was on psychotropic medications for these disorders.
- One week prior to death, he began to experience auditory hallucinations (hearing voices) and was placed on additional antipsychotic medication.
- For several days following, he repeatedly complained of feeling hot and was placed in front of a fan with little improvement.
- On 8-13-2007 at approximately 0500 hours, Offender Robles was found face-down on the top bunk of his cell. He was taken to the Byrd Unit Emergency Room and was pronounced dead at 0525 hours.

Cause of Death: Hyperthermia caused by environmental conditions plus pre-existing medical conditions and medications.

Our mission is to provide public safety, promote positive change in offender behavior, reintegrate offenders into society, and assist victims of crime.

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Huntsville, Texas 77340
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TDCJ013584

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EXHIBIT 219



From: Lannette Linthicum
To: JoAnne Holly; Ron Steffa; Jerry McGinty
CC: Michael McManus; Bryan Collier
Sent: 8/12/2009 11:29:01 AM
Subject: Re: Lease # 10604 - A/C - alternate location

I have asthma that is triggered by a number of environmental factors including hot humid air. I receive immunotherapy(allergy shots) every week since 1998 to keep me well. That gives you an idea of the severity of my asthma condition. I can not work under these conditions.

----- Original Message -----

From: JoAnne Holly
Sent: 08/12/2009 11:01 AM CDT
To: Lannette Linthicum
Cc: George Crippen; Melissa Beardsley
Subject: Re: Lease # 10604 - A/C - alternate location

Dr. Linthicum,

I understand. A fan has been brought into your area to help with air circulation and to assist in moving some cooler air in from the adjoining space. I have sent additional information this morning to the Texas Facilities Commission again requesting their assistance for corrective action for this request. We will continue to assist you and your staff until the HVAC repair is completed.

I was just made aware that Mr. Crippen will be returning next week.

Thank you for your continued patience and understanding throughout this process,
 JoAnne Holly
 TDCJ Office of Space Management

Lannette
 Linthicum/Health_Services/TDCJ To: JoAnne Holly/Business_Finance/TDCJ@TDCJ
 08/12/2009 09:55 AM cc
 Subject: Re: Lease # 10604 - A/C - alternate location

I need access to my computer and files

----- Original Message -----

From: JoAnne Holly
Sent: 08/12/2009 08:50 AM CDT
To: Lannette Linthicum
Cc: Melissa Beardsley; Gina Sweetin; George Crippen
Subject: Lease # 10604 - A/C - alternate location

Good morning, Dr. Linthicum,

As you are aware, HVAC problems have been reported for the unit(s) that service your office and surrounding area. With this lease currently in litigation status, our level of information is limited in regard to specific repair dates. The Texas Facilities Commission was notified of this situation yesterday and they are addressing through the litigation process. In the mean time, it is my understanding that George Crippen is out on vacation the remainder of this week and next week. I would like to recommend his office as a possible alternate location for you during this time. This would provide a cool environment and keep you in close proximity to your staff.

Please let me know if this will not work and we will seek other alternate options for you during this time.

Thanks so much,
 JoAnne Holly
 TDCJ Office of Space Management
 936/ 437-7008

D00166199

**Texas Department of Criminal Justice
Hutchins Unit
Risk Management Department**

To: Major May

Date: 08/06/2010

From: Risk Management

Subject: Temperatures on
the dorms

A1 Building: Time Taken: 9:30 am

A1- Control: Cool Water and ice in igloo. 70 Deg

A1 Dorm : Cool Water in Igloo. 97 Deg

A2 Dorm: Cool Water in Igloo. 99 Deg

A3 Dorm: NO Offenders – No Igloo. 100 Deg

A4 Dorm: Cold Water in Igloo. 97 Deg

A2 Building: Time Taken: 9:45 am

A2 Control: Cool Water with ice in Igloo. 77 Deg

A5 Dorm: Cool Water in Igloo. 95 Deg

A6 Dorm: Cool Water in Igloo. 95 Deg (Igloo leaks)

A7 Dorm: Cool Water in Igloo. 93 Deg

A8 Dorm: Cool Water in Igloo. 93 Deg

B1 Building: Time Taken: 2:00 pm

B1 Control: Cool Water and ice in Igloo. 77 Deg

B1 Dorm: Cool Water in Igloo. 102 Deg

B2 Dorm: Cool Water in Igloo. 103 Deg

B3 Dorm: Cool Water in Igloo. 102 Deg

B4 Dorm: Cool Water in Igloo. 104 Deg

OPEN RECORDS

B2 Building: Time Taken: 10:15 am

B2 Control: Cool Water and ice in Igloo. 75 Deg
B5 Dorm: Cool Water in Igloo. 98 Deg
B6 Dorm: Cool Water in Igloo. 97 Deg
B7 Dorm: Cool Water in Igloo. 97 Deg
B8 Dorm: Cool Water in Igloo. 101 Deg

F Building: Time Taken: 10:45 am

F Control: Cool Water and ice in Igloo. 71 Deg
F1 Dorm: Cool Water in Igloo. 100 Deg
F2 Dorm: Cool Water in Igloo. 100 Deg (Shower 107 Deg)
F3 Dorm: Cool Water in Igloo. 98 Deg
F4 Dorm: NO Offenders – No Igloo 100 Deg

C1 Building: Time Taken: 1:00 pm

C1 Control: No Igloo. 75 Deg
C1 Dorm: Cool Water in Igloo. 103 Deg
C2 Dorm: Cool Water in Igloo. 104 Deg
C3 Dorm: Cool Water in Igloo. 102 Deg
C4 Dorm: Cool Water in Igloo. 102 Deg

C2 Building: Time Taken: 1:30 pm

C2 Control: No Igloo. 77 Deg
C5 Dorm: No Offenders – No Igloo 101 Deg
C6 Dorm: Cool Water in Igloo. 106 Deg
C7 Dorm: Cool Water in Igloo. 103 Deg
C8 Dorm: Cool Water in Igloo. 102 Deg

OPEN RECORDS

D Building: Time Taken: 3:00 pm

D Control: No Igloo. 74 Deg
D1 Dorm: No water in Igloo. 101 Deg
D2 Dorm: Cool Water in Igloo. 102 Deg (No Lock)
D3 Dorm: Cool Water in Igloo. 99 Deg
D4 Dorm: Cool Water in Igloo. 100 Deg

E Building: Time Taken: 2:40 pm

E Control: No Igloo. 82 Deg
E1 Dorm: Cool Water in Igloo. 101 Deg
E2 Dorm: Cool Water in Igloo. 103 Deg
E3 Dorm: Cool Water in Igloo. 101 Deg
E4 Dorm: Cool Water in Igloo. 102 Deg

K Building: Time taken : 3:00 pm

K Control: 104 deg

The control pickets that did have ice and water today, received it the day before on Second shift. Today on First shift, there was no ice available. The ice machine was not working properly.

OPEN RECORDS

**Texas Department of Criminal Justice
Hutchins Unit
Risk Management Department**

To: Major May

Date: 08/09/2010

From: Risk Management

Subject: Temperatures on
the dorms

A1 Building: Time Taken: 11:00 am

Outside temp = 93

A1 Dorm: 93

A1 Dorm: 90

A3 Dorm: 94

A4 Dorm: 95

A2 Building: Time Taken: 11:15 am

Outside temp = 94

A5 Dorm: 90

A6 Dorm: 92

A7 Dorm: 92

A8 Dorm: 92

B1 Building: Time Taken: 11:30 am

Outside temp = 95

B1 Dorm: 94

B2 Dorm: 94

B3 Dorm: 94

B4 Dorm: 94

OPEN RECORDS

B2 Building: Time Taken: 11:40- am Outside temp = 95

B5 Dorm: 93

B6 Dorm: 94

B7 Dorm: 94

B8 Dorm: 94

C1 Building: Time Taken: 11:55 am Outside temp = 95

C1 Dorm: 95

C2 Dorm: 96

C3 Dorm: 96

C4 Dorm: 96

C2 Building: Time Taken: 1:30 pm Outside temp = 97

C5 Dorm: 96

C6 Dorm: 98

C7 Dorm: 98

C8 Dorm: 96

D Building: Time Taken: 1:45 pm Outside temp = 98

D1 Dorm: 96

D2 Dorm: 95

D3 Dorm: 95

D4 Dorm: 97

OPEN RECORDS

UNITED STATES DISTRICT COURT
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EXHIBIT 222

Texas Department of Criminal Justice
Hutchins Unit
Risk Management Department

To: Major May

Date: 08/10/2010

From: Risk Management

Subject: Temperatures on
the dorms

A1 Building: Time Taken: 1:00 pm

Outside temp = 99

A1 Dorm: 97

A1 Dorm: 98

A3 Dorm: 98

A4 Dorm: 99

A2 Building: Time Taken: 1:15 am

Outside temp = 99

A5 Dorm: 98

A6 Dorm: 98

A7 Dorm: 96

A8 Dorm: 96

B1 Building: Time Taken: 1:45 am

Outside temp = 100

B1 Dorm: 97

B2 Dorm: 98

B3 Dorm: 99

B4 Dorm: 97

OPEN RECORD

B2 Building: Time Taken: 1:30 am Outside temp = 99

B5 Dorm: 96

B6 Dorm: 96

B7 Dorm: 97

B8 Dorm: 96

C1 Building: Time Taken: 2:30 pm Outside temp = 102

C1 Dorm: 98

C2 Dorm: 97

C3 Dorm: 99

C4 Dorm: 98

C2 Building: Time Taken: 2:40 pm Outside temp = 102

C5 Dorm: 97

C6 Dorm: 98

C7 Dorm: 97

C8 Dorm: 96

D Building: Time Taken: 2:55 pm Outside temp = 102

D1 Dorm: 99

D2 Dorm: 98

D3 Dorm: 97

D4 Dorm: 97

OPEN RECORD

E Building: Time Taken: 3:10 pm

Outside temp = 103

E1 Dorm: 99

E2 Dorm: 99

E3 Dorm: 99 (no cooler)

E4 Dorm: 99

F Building: Time taken: 2:00 pm

Outside temp = 100

K Building: Time taken : 10:00 AM

Outside temp = 84

K-1 Run: 77 @ 10:00 AM

K-2 Run: 77 @ 10:00 AM

K-1-1: 81

K-1-2: 80

K-1-3: 80

K-1-4: 82

K-1-5: 83

K-1-6: 81

K-1-7: 81

K-1-8: 80

K-1-9: 70

K-1-10: 79

K-1-11: 79

K-1-12: 78

K-1-13: 77

K-1-14: 77

K-2-15: 79

K-2-16: 81

K-2-17: 81

K-2-18: 82

K-2-19: 83

K-2-20: 81

K-2-21: 82

K-2-22: 82

K-2-23: 80

K-2-24: 83

K-2-25: 80

K-2-26: 81

K-2-27: 81

K-2-28: 81

K-2-29: 80

K-2-A, B, C, D, E, F = 75

K-3-A, B, C, D, E, F = 76

K-4-A, B, C, D, E, F = 84

K-5-A, B, C, D, E, F = 85

OPEN RECORDS

All fans are working in the Offender housing areas.

Coolers are in all dorms with the exception of E-3.

All coolers have cool water with the exception of A-2, A-4, A-5, and A-8.
These coolers have cold water.

OPEN RECORDS

**Texas Department of Criminal Justice
Hutchins Unit
Risk Management Department**

To: Major May

Date: 08/13/2010

From: Risk Management

Subject: Temperatures on
the dorms *Mauro*

A1 Building: Time Taken: 1:45 PM

Outside temp = 106

A1 Dorm: 101
A1 Dorm: 102
A3 Dorm: 100 (No Offenders)
A4 Dorm: 101

A2 Building: Time Taken: 2:05 PM

Outside temp = 106

A5 Dorm: 100
A6 Dorm: 100
A7 Dorm: 100 (no Cooler)
A8 Dorm: 100

B1 Building: Time Taken: 1:00 PM

Outside temp = 106

B1 Dorm: 97
B2 Dorm: 99
B3 Dorm: 99
B4 Dorm: 100

B2 Building: Time Taken: 1:15 PM

Outside temp = 106

B5 Dorm: 99
B6 Dorm: 99
B7 Dorm: 101
B8 Dorm: 100

OPEN RECORDS

C1 Building: Time Taken: 11:40 PM

Outside temp = 100

C1 Dorm: 96
C2 Dorm: 96
C3 Dorm: 96
C4 Dorm: 97

C2 Building: Time Taken: 12:00 PM

Outside temp = 100

C5 Dorm: 98
C6 Dorm: 98
C7 Dorm: 99
C8 Dorm: 98

D Building: Time Taken: 11:00 PM

Outside temp = 96

D1 Dorm: 95
D2 Dorm: 95
D3 Dorm: 94
D4 Dorm: 95

E Building: Time Taken: 11:20 PM

Outside temp = 98

E1 Dorm: 97
E2 Dorm: 96
E3 Dorm: 95
E4 Dorm: 96

F Building: Time taken: 12:40 PM

Outside temp = 101

F1 Dorm: 97
F2 Dorm: 99
F3 Dorm: 98
F4 Dorm: 97 (no Offenders)

OPEN RECORDS

K Building: Time taken : 10:45 AM

Outside temp = 96

K-1 Run: 78 @ 10:45 AM

K-2 Run: 78 @ 10:45 AM

K-1-1: 76	K-2-15: 79
K-1-2: 78	K-2-16: 79
K-1-3: 75	K-2-17: 80
K-1-4: 78	K-2-18: 78
K-1-5: 78	K-2-19: 77
K-1-6: 78	K-2-20: 78
K-1-7: 77	K-2-21: 78
K-1-8: 77	K-2-22: 79
K-1-9: 76	K-2-23: 79
K-1-10: 78	K-2-24: 80
K-1-11: 78	K-2-25: 80
K-1-12: 78	K-2-26: 79
K-1-13: 77	K-2-27: 79
K-1-14: 77	K-2-28: 78
	K-2-29: 78

K-2-A, B, C, D, E, F = 74

K-3-A, B, C, D, E, F = 75

K-4-A, B, C, D, E, F = 75

K-5-A, B, C, D, E, F = 75

All fans are working in the Offender housing areas.

Coolers are in all dorms except A7, the lock was broken.

All coolers have cool water

CC: Risk Manager R. Storie

OPEN RECORDS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §
 McCOLLUM, individually, and STEPHANIE §
 KINGREY, individually and as independent §
 administrator of the Estate of LARRY GENE §
 McCOLLUM, §

PLAINTIFFS

V.

CIVIL ACTION NO.

4:14-cv-3253

JURY DEMAND

BRAD LIVINGSTON, JEFF PRINGLE, §
RICHARD CLARK, KAREN TATE, §
SANDREA SANDERS, ROBERT EASON, the §
UNIVERSITY OF TEXAS MEDICAL §
BRANCH and the TEXAS DEPARTMENT OF §
CRIMINAL JUSTICE. §

DEFENDANTS

Plaintiffs' Consolidated Summary Judgment Response Appendix

EXHIBIT 224

From: CN=Kathy Cleere/OU=Executive_Directors_Office/O=TDCJ
To: Theresa Alford; Ginger Kellog; Barbara Minor; Hollis Murray; Peggy Sowers-Brock/Executive_Directors_Office/TDCJ@TDCJ; Judy Stevenson/Executive_Directors_Office/TDCJ@TDCJ; Kyla Crumbly/Executive_Directors_Office/TDCJ@TDCJ; Stacey Sallee
CC: Karen Hall
Sent: 6/15/2011 2:08:50 PM
Subject: Instructions/Reminders

Well, summertime is definitely here! The number of incidents, particularly altercations resulting in uses of chemical agents, offender/staff assaults and disturbances, is increasing. The hotter it gets, the crankier the offenders get, so we know it will not be getting any better. We have a long, hot summer ahead of us.

Here a few **new instructions**:

- Mr. Stephens would like to be made aware of employee heat-related incidents; so, please forward a little "blurb" to me on my blackberry when we receive these so I can forward them to Mr. Stephens.
- Mr. Mendoza would like to be made aware of gang-related incidents; so, please forward a little "blurb" to me on my blackberry when we receive these so I can forward them to Mr. Mendoza. This **does not** mean all 45 codes; it means incidents that are truly deemed to be gang-related (this will mainly involve fights, offender/staff assaults, and disturbances, but could occasionally involve other types of incidents).

Here are a few **observations**:

- We are making **ALOT** of careless mistakes. Third shift has been catching many of these. I.T. is in the process of converting our access database for the past seven years to the new mainframe database they are creating. I receive MANY long lists of errors in the database from them that I have to go in and correct. I know sometimes the phones are ringing off the wall, and we have many interruptions, and you are all performing extra duties due to the RIF, but **we must** focus more on the quality of our work. The most frequent errors are:
1. **Typos in offender names/TDCJ numbers** (Note: 3rd shift is having to make corrections DAILY on these!). PLEASE pay more attention to this! When we are searching for records for Open Records requests, litigation, subpoenas, etc., we search by name or TDCJ number. If they are typed incorrectly, we do not locate the record.
 2. **Typos in the incident number.** I.T. found alot of typos in incident numbers, particularly the last two digits indicating the year. These types of mistakes cause errors in statistical reports and in queries for information. If you're typing fast, and you accidentally hit an extra key and it jumps to the next field, it is going to throw all the numbers off. Please glance at the numbers before you close out the entry.
 3. **Forgetting the Code 80's** - As you can see from the news clip I forwarded you today regarding cellphones, legislators are still concerned about TDCJ spending money for security equipment. It is important that we enter the Code 80 when appropriate so it will be included in my monthly security equipment report for Security Operations. This report helps us account for our usage of security equipment. (Note: There is nothing we can do if the unit does not record the use of the equipment.)
 4. **Grams/Ounces** - We don't deal in grams; we always enter ounces. I provided a conversion chart for you awhile back. If you have lost yours, let me know and I will give you another one.
 5. **SPELLING!!!!!!** We have no spell check on our access database because we use too many abbreviations. There are ALOT of spelling errors!!! If I am not sure how to spell a word, all I do is open up Microsoft WORD or go to Google on the internet and type in the word. The correct spelling will appear. Please watch your spelling, ESPECIALLY in blackberry notifications and Board letters (I'm guessing webmail can't be set up to spell check because there are alot of spelling errors in the blackberry notifications, too).

- **Processing Incidents**

I think some of you may have forgotten that at the last staff meeting, you signed a set of instructions (not suggestions), indicating you would process incidents as they come in, and not let them pile up to enter toward the end of the shift. As we all know, if you wait to enter at the end of the shift, and you are rushing to enter them all before your shift ends, you are more apt to make mistakes. As third shift provides corrected summaries, if I see consistent mistakes, I do look to see who is entering them. As I indicated in the document you signed at the staff meeting, you may as well start processing them as they come in now, because the new database will show the exact time they are printed and entered, and we will be able to tell how they are being processed.

I think are finally getting into a groove with handling Martha's duties. Theresa and Peggy are doing a good job of taking on most of those, and the rest of you are taking up the slack. Just one favor....as you know, Martha kept up with the inventory on supplies, and re-ordered when we got low. We no longer have a person to monitor that, so if you see that we are getting low on something, please let Peggy or me know.

Hang in there!! Summer will be over in 6 months....uuuggghhh!

~kc~

Kathy Cleere, Administrator
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